

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VULCAN GOLF, LLC, JOHN B.
SANFILIPPO & SONS, INC., BLITZ
REALTY GROUP, INC., and VINCENTE E.
“BO” JACKSON,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

) Case No. 07 CV 3371

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) The Honorable Blanche M. Manning

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**DECLARATION OF PRASHANTH KOPPULA IN SUPPORT OF GOOGLE’S MOTION
FOR PARTIAL SUMMARY JUDGMENT**

REDACTED PUBLIC VERSION

I, Prashanth Koppula, declare as follows:

1. I am Google's Product Manager for AdSense for Domains and Publisher Quality, with primary responsibility for the AdSense for Domains ("AFD") product. The information set forth herein is known to me personally, and if called upon I can and will testify thereto.
2. Google's AFD is an advertising product wherein the owner or operator of one or more internet domains can request advertising content from Google. Upon receiving such requests, Google provides advertising content to the domain owner or operator, which then displays that advertising content on its domain. That process is described in detail below. If and when visitors to the website associated with that domain click on an advertisement, the resulting revenue from the advertiser is shared between Google and the domain owner or operator.
3. Google refers to the domain owners or operators who are Google's AFD customers as AFD partners. AFD partners that provide hosting services to their own customers, who are in turn the owners of internet domains, are referred to as Third Party Hosting or "3PH" AFD partners. And 3PH AFD partners typically also register and operate internet domains themselves. The domains hosted by AFD partners are typically domains that have not yet been developed. The owners of domains are sometimes referred to as "domainers."
4. For example, an entrepreneur might register a promising domain name such as "autoinsurance-usa.org" in hopes of reselling that name to an insurance company (or "bankruptcy.net" for bankruptcy services or "nationalcitybank.com" for banking services). But rather than leave that domain name unused in the meantime, the entrepreneur would place (or "park") that domain with a 3PH AFD partner, who would

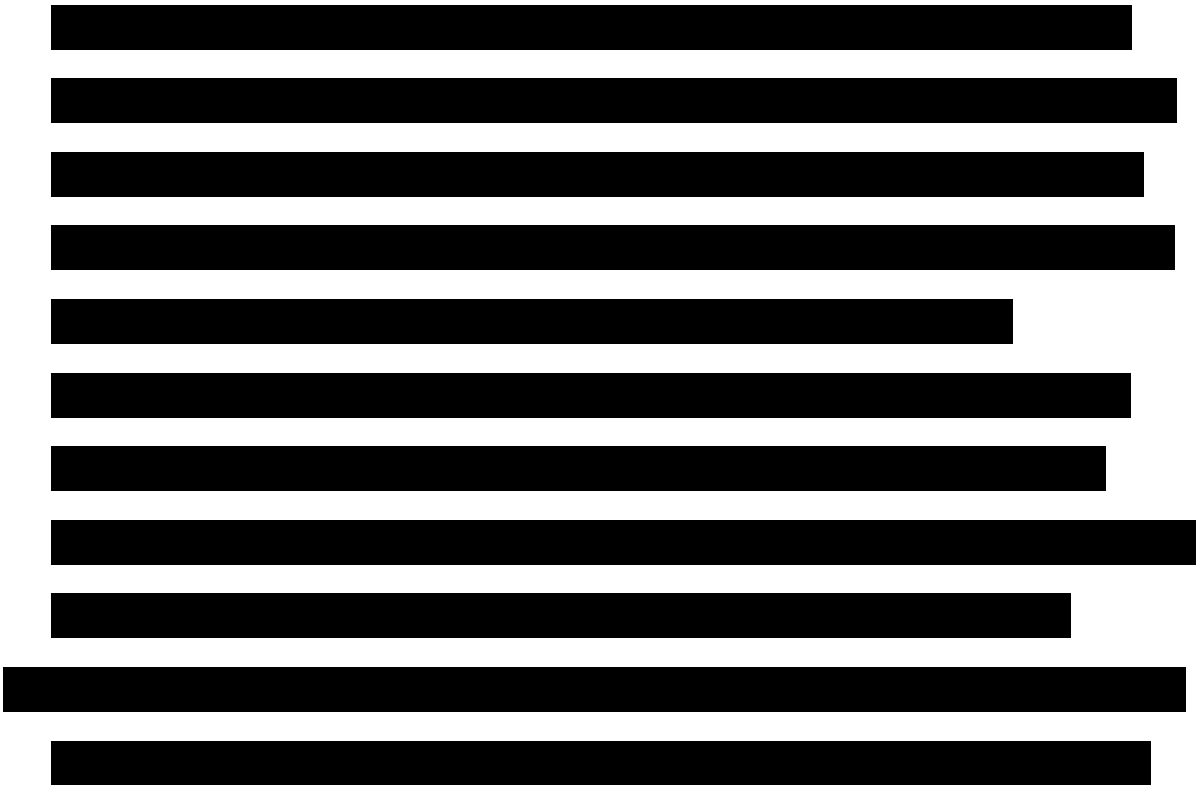
operate the domain by requesting advertising content from Google and placing that content on the website “autoinsurance-usa.org”. An internet user entering “autoinsurance-usa.org” in his or her browser will then see those ads.

5. The 3PH AFD partners each typically operate hundreds of thousands, or even millions of separate domains. Dotster, Sedo, Oversee, and Ireit have all been 3PH AFD customers. AFD receives millions of requests for advertising content every day. In any given month, AFD receives requests for content for millions of unique domain names. There are currently over 100 million separate registered domain names in the world.
6. Google does not operate, host, or control any of the domains that obtain advertising content through AFD. In fact, Google has no way of even knowing what domains are being hosted by its 3PH AFD partners at any time, unless and until the 3PH AFD partner transmits a request for advertising content for a given domain, at which time the domain name is included in the request sent to Google.
7. Each of the millions of daily AFD requests typically works as follows. An internet user types a URL such as “autoinsurance-usa.org” into her browser. Her browser directs the domain associated with that URL, “autoinsurance-usa.org,” to a central Domain Name Server (“DNS”), which looks up that domain, and—if it is registered—passes the request on to the registered operator of that domain. If that operator is an AFD partner, the operator then sends a request for advertising content to Google.

[REDACTED]

[REDACTED]

[REDACTED]



Attached hereto as Exhibit B are example results pages showing AFD results, as the end user sees them, for the three examples discussed above: nationalcitybank.com (currently hosted by Sedo), autoinsurance-usa.org (Oversee), and bankruptcy.net (Oversee).

15. Other than the information contained in each of the millions of AFD requests Google receives each day, Google has no information concerning the millions of domains either owned or hosted by its AFD partners. Google does not know who owns or registered each domain, other than where the partner identifier discussed above identifies a domain as owned and operated by the particular partner. Until it receives a request containing a particular URL, Google does not know whether that domain name exists, who owns it, or who registered it.
16. Google has a comprehensive trademark protection policy. When a trademark owner asks Google to refrain from providing AFD content for use in connection with any domain name, Google adds that domain name to a “fail list.” The fail list is also used for

domains that violate Google's policies around activities such as spam and kiting. The domain contained in each AFD request is compared to the fail list. If the domain is on the fail list, no content is returned to the AFD partner. The current AFD fail list contains in excess of 1 million domain names.

[REDACTED]

[REDACTED]

I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of July, 2009 at Mountain View, California.


Prashanth Koppula